

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. **23-20431-CR-HUCK/TORRES**

18 U.S.C. § 1201(a)(1)
18 U.S.C. § 1201(c)
18 U.S.C. § 924(c)(1)(A)
18 U.S.C. § 981(a)(1)(C)
18 U.S.C. § 924(d)(1)

UNITED STATES OF AMERICA

vs.

JAMES EDWARD DANIELS,
a/k/a "45,"
HERBERT BARR, and
FREDERICK EUGENE RUDOLPH,
a/k/a "Pops,"

Defendants.

FILED BY SAL D.C.

Nov 2, 2023

ANGELA E. NOBLE
CLERK U.S. DIST. CT.
S. D. OF FLA. - Magistrate Miami

INDICTMENT

The Grand Jury charges that:

COUNT 1

Conspiracy to Kidnap Resulting in Death
(18 U.S.C. § 1201(c))

Beginning at least as early as in and around January 2020, and continuing through in or around December 2020, the exact dates being unknown to the Grand Jury, in Miami-Dade County, in the Southern District of Florida, the defendants,

JAMES EDWARD DANIELS,
a/k/a "45,"
HERBERT BARR, and
FREDERICK EUGENE RUDOLPH,
a/k/a "Pops,"

did knowingly and willfully combine, conspire, confederate, and agree with each other and with others known and unknown to the Grand Jury, to commit an offense against the United States, that

is, to unlawfully seize, confine, inveigle, decoy, kidnap, abduct, and carry away and hold any person, that is Victim-1, Victim-2, and Victim-3, for reward and otherwise, and did use any means, facility, and instrumentality of interstate commerce, that is, a cellular device and a motor vehicle, in furtherance of this offense, in violation of Title 18, United States Code, Section 1201(a).

OBJECT OF THE CONSPIRACY

It was the purpose and object of the conspiracy for the defendants and their co-conspirators to unlawfully enrich themselves by obtaining United States currency and controlled substances in exchange for robbing, seizing, kidnapping, abducting, and carrying away Victim-1, Victim-2, and Victim-3, and killing and attempting to kill Victim-1, Victim-2, and Victim-3.

OVERT ACTS

In furtherance of the conspiracy, and to accomplish its purpose, at least one of the conspirators committed and caused to be committed, in the Southern District of Florida, at least one of the following overt acts, among others:

1. On or about December 3, 2020, **JAMES EDWARD DANIELS** and another individual rented a Toyota Rav-4 bearing Florida license plate number EVLJ89 and Vehicle Identification Number ending in 0153 ("the Rav-4").

2. On or about December 4, 2020, **JAMES EDWARD DANIELS** met with other co-conspirators, including co-conspirator 1, in the vicinity of 410 W 84th Street, Hialeah, Florida to discuss their plan to steal property from Victim-1, Victim-2, and Victim-3 (collectively, "the Victims").

3. On or about December 5, 2020, **JAMES EDWARD DANIELS**, **HERBERT BARR**, and **FREDERICK EUGENE RUDOLPH** communicated with each other and their co-

conspirators, including co-conspirator 1, via cellular telephone in furtherance of their plan to steal property from and kidnap the Victims.

4. On or about December 5, 2020, **FREDERICK EUGENE RUDOLPH** and co-conspirator 1 used the Rav-4 to facilitate the rental of a U-Haul van bearing Arizona license plate number AJ79460 and Vehicle Identification Number ending in 3803 (“the U-Haul”).

5. On or about December 5, 2020, **JAMES EDWARD DANIELS, FREDERICK EUGENE RUDOLPH**, and other co-conspirators, including co-conspirator 1, stole property from the Victims at 13052 NW 43rd Avenue, Opa-Locka, Florida.

6. On or about December 5, 2020, **JAMES EDWARD DANIELS, FREDERICK EUGENE RUDOLPH**, and other co-conspirators, including co-conspirator 1, abducted the Victims and placed the Victims in the U-Haul and drove them away from 13052 NW 43rd Avenue, Opa-Locka, Florida.

7. On or about December 5, 2020, **JAMES EDWARD DANIELS** assaulted Victim-1 while Victim-1 was restrained in the back of the U-Haul.

8. On or about December 5, 2020, **HERBERT BARR** drove the U-Haul containing the Victims throughout parts of Miami-Dade County, Florida.

9. On or about December 5, 2020, **JAMES EDWARD DANIELS, HERBERT BARR, FREDERICK EUGENE RUDOLPH**, and other co-conspirators, including co-conspirator 1 and co-conspirator 2, threatened the Victims, or caused the Victims to be threatened, with serious bodily injury and death.

10. On or about December 5, 2020, **JAMES EDWARD DANIELS, HERBERT BARR**, and co-conspirator 2 transported the Victims to an abandoned property located at 1801 Rutland Street, Opa-Locka, Florida.

11. On or about December 5, 2020, co-conspirator 2 shot the Victims in the head at 1801 Rutland Street, Opa-Locka, Florida, resulting in the death of Victim-1 and Victim-2.

12. In or around December 2020, co-conspirators, including co-conspirator 1, gave **JAMES EDWARD DANIELS, HERBERT BARR, and FREDERICK EUGENE RUDOLPH** money and/or controlled substances as payment for their participation in stealing property from and kidnapping the Victims.

All in violation of Title 18, United States Code, Section 1201(c).

COUNT 2
Kidnapping Resulting in Death
(18 U.S.C. § 1201(a)(1))

On or about December 5, 2020, in Miami-Dade County, in the Southern District of Florida, the defendants,

JAMES EDWARD DANIELS,
a/k/a “45,”
HERBERT BARR, and
FREDERICK EUGENE RUDOLPH,
a/k/a “Pops,”

did willfully and unlawfully seize, confine, kidnap, abduct, and carry away and hold any person, that is, Victim-1, for reward and otherwise, and did use any means, facility, and instrumentality of interstate commerce, that is, a cellular device and a motor vehicle, in furtherance of this offense, in violation of Title 18, United States Code, Sections 1201(a)(1) and 2.

It is further alleged that death resulted to Victim-1 as a result of this offense, in violation of Title 18, United States Code, Section 1201(a).

COUNT 3
Kidnapping Resulting in Death
(18 U.S.C. § 1201(a)(1))

On or about December 5, 2020, in Miami-Dade County, in the Southern District of Florida,
the defendants,

JAMES EDWARD DANIELS,
a/k/a "45,"
HERBERT BARR, and
FREDERICK EUGENE RUDOLPH,
a/k/a "Pops,"

did willfully and unlawfully seize, confine, kidnap, abduct, and carry away and hold any person,
that is, Victim-2, for reward and otherwise, and did use any means, facility, and instrumentality of
interstate commerce, that is, a cellular device and a motor vehicle, in furtherance of this offense,
in violation of Title 18, United States Code, Sections 1201(a)(1) and 2.

It is further alleged that death resulted to Victim-2 as a result of this offense, in violation
of Title 18, United States Code, Section 1201(a).

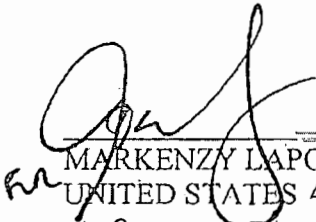
COUNT 4
Kidnapping
(18 U.S.C. § 1201(a)(1))


On or about December 5, 2020, in Miami-Dade County, in the Southern District of Florida,
the defendants,

JAMES EDWARD DANIELS,
a/k/a "45,"
HERBERT BARR, and
FREDERICK EUGENE RUDOLPH,
a/k/a "Pops,"

did willfully and unlawfully seize, confine, kidnap, abduct, and carry away and hold any person,
that is, Victim-3, for reward and otherwise, and did use any means, facility, and instrumentality of

interstate commerce, that is, a cellular device and a motor vehicle, in furtherance of this offense,
in violation of Title 18, United States Code, Sections 1201(a)(1) and 2.


MARKENZY LAPOINTE
UNITED STATES ATTORNEY


ELYEN D'ANGELO
KEVIN GERARDE
ASSISTANT UNITED STATES ATTORNEYS